

REMARKS

Previously, claims 16 and 18-23 were pending. In the instant amendment, claims 16 and 18-23 have been canceled without prejudice to Applicants' rights to pursue canceled subject matter in one or more patent applications. New claims 24 and 25 have been added. Upon entry of the instant amendment, claims 24 and 25 will be pending and under consideration.

I. AMENDMENTS TO THE CLAIMS

Claims 16 and 18-23 have been canceled without prejudice to Applicants' rights to pursue canceled subject matter in one or more patent applications.

New claims 24 and 25 are supported by the specification and claims as originally filed. No new matter has been added. Entry of the instant amendment is respectfully requested.

It is believed that no amendment fee is due.

II. REJECTION OF CLAIMS 16, 18, 19, 22 AND 23 UNDER 35 U.S.C. § 112, FIRST PARAGRAPH

Claims 16, 18, 19, 22 and 23 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Applicants respectfully disagree with the propriety of the rejection and do not acquiesce in the rejection.

Nonetheless, in order to expedite prosecution, claims 16, 18, 19, 22 and 23 have been canceled, thereby rendering the rejection of these claims moot. Applicants respectfully request that the rejection to claims 16, 18, 19, 22 and 23 under 35 U.S.C. § 112, first paragraph, be withdrawn. Applicants reserve the right to pursue the canceled subject matter in one or more related cases.

With regard to new claims 24 and 25, these claims recite, in pertinent part, "an agent that is a member of a compound selected from the group consisting of an indirubin and a paullone," that was previously recited in claim 21 (now canceled) which was not included in the rejection under 35 U.S.C. § 112, first paragraph. Hence, Applicants respectfully submit that new claims 24 and 25 are patentable under 35 U.S.C. § 112, first paragraph.

III. REJECTION OF CLAIMS 16 AND 18-23 UNDER 35 U.S.C. § 112, FIRST PARAGRAPH

Claims 16 and 18-23 stand rejected under 35 U.S.C. § 112, first paragraph, because the specification allegedly lacks enablement for the claims. Applicants respectfully disagree with the propriety of the rejection and do not acquiesce in the rejection. Nonetheless, in order to expedite prosecution, claims 16 and 18-23 have been canceled, thereby rendering the rejection of these claims moot. Applicants respectfully request that the rejection to claims 16 and 18-23 under 35 U.S.C. § 112, first paragraph, be withdrawn. Applicants reserve the right to pursue the canceled subject matter in one or more related cases.

Applicants respectfully submit that new claims 24 and 25 are allowable under 35 U.S.C. § 112, first paragraph. In paragraph 7 of the Office Action, the Patent Office acknowledges that the specification is enabling for a method of treating dopamine dysregulation or drug abuse in an individual comprising administration to the individual an agent that is a member of a compound selected from the group consisting of an indirubin and a paullone, wherein said agent binds to Cdk5 and such binding results in the inhibition of the phosphorylation of Thr75-DARPP-32 and wherein said agent can cross the blood brain barrier. In paragraph 8 of the Office Action, the Patent Office states that if the instantly claims are amended to reflect the scope of enabled invention set forth in the enablement rejection, claims would be allowable. Applicants respectfully submit that claims 24 and 25 reflect the scope of subject matter acknowledged by the Patent Office to be enabled.

CONCLUSION

In light of the above amendments and remarks, Applicants respectfully request that the Patent Office reconsider this application with a view towards allowance.

No fee, other than that for a petition for extension of time, are believed due with this filing. However, the Commissioner is hereby authorized to charge any required fee(s) to Jones Day Deposit Account No. 50-3013.

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Respectfully submitted,



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